

 <p align="center"> United States Environmental Protection Agency Washington, DC 20460 Interagency Agreement/Amendment Part 1 - General Information </p>		1. EPA IA Identification Number DW-96-94193501 - Y		2. Funding Location by Region EPA R2																																																			
		3. Other Agency IA ID Number (if known)		4. Awarding Office IASSC West																																																			
		5. Type of Action Augmentation: Increase		6. IA Specialist: Kathy Tsing-Choy 206-553-4688 Tsing-Choy.Kathy@epa.gov																																																			
7. Name and Address of EPA Organization US Environmental Protection Agency IASSC West 1200 Sixth Avenue, Suite 900, OMP-145 Seattle, WA 98101			8. Name and Address of Other Agency U.S. Army Corps of Engineers EM CX 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Omaha, NE 68102-9200																																																				
9. DUNS: 029128894		10. BETC: DISB		11. DUNS: DOD964126																																																			
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13. Project Title and Description Welsbach and General Gas Mantle Site, Camden County, New Jersey Remedial Action - Excavation and off-site disposal of radiologically contaminated waste materials, Camden County, NJ (EPA ID#: NJD986620995). This IA also includes American Recovery and Reinvestment Act (ARRA) of 2009 project, refer to Amendment Q. IA Amendment #V officially closed projects funded by ARRA. This amendment increases Federal funding by \$17,400,000 and adds non-ARRA condition #20.																																																							
14. EPA Project Officer (Name, Address, Telephone Number) Justin Gottesman 290 Broadway (ERRD/PSB/CMS) New York, NY 10007-1866 212-637-4303 E-Mail: gottesman.justin@epa.gov FAX: 212-637-3083			15. Other Agency Project Officer (Name, Address, Telephone) Marvene L. Seaman 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Omaha, NE 68102-9200 402-697-2425 E-Mail: Marvene.L.Seaman@usace.army.mil FAX: 402-697-2613																																																				
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Part II - Approved Budget				EPA IAG Identification Number DW-96-94193501 - Y
31. Budget Categories	Itemization of All Previous Actions	Itemization of This Action	In-Kind Itemization of This Action	Itemization of Total Project Cost to Date
(a) Personnel	\$15,143,487	\$1,340,675		\$16,484,162
(b) Fringe Benefits	\$8,213,601	\$710,558		\$8,924,159
(c) Travel	\$192,811	\$4,529		\$197,340
(d) Equipment	\$7,820			\$7,820
(e) Supplies	\$24,240			\$24,240
(f) Procurement / Assistance	\$177,250,863	\$13,700,000		\$190,950,863
(g) Construction	\$2,500,000			\$2,500,000
(h) Other	\$4,052,328	\$206,324		\$4,258,652
(i) Total Direct Charges	\$207,385,150	\$15,962,086	\$0	\$223,347,236
(j) Indirect Costs:	\$16,060,829	\$1,437,914		\$17,498,743
Charged - Amount Rate: % Base: \$ Not Charged: Funds-Out: Not charged by Other Agency Estimate by other Agency Amount \$				
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$223,445,979	\$17,400,000	\$0	\$240,845,979
32. How was the IDC Base calculated?				
33. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Identify all equipment costing \$1,000 or more)				
34. Are any of these funds being used on Procure/Assistance agreements? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
Type of Procure/Assistance Agreement Contract				
Contractor/Recipient Name (if known)	Total Procure/Assistance Amount Under This Project		Percent Funded by EPA (if known)	
UNKNOWN	190950863 Total \$ 190,950,863.00		100	
Part III - Funding Methods and Billing Instructions				
35. (Note: EPA Agency Location Code (ALC) - 68010727)				
<input checked="" type="checkbox"/> Disbursement Agreement	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:			
<input checked="" type="checkbox"/> Repayment	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Upon Completion of Work			
<input type="checkbox"/> Advance	Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.			
<input type="checkbox"/> Allocation Transfer-Out	Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.			
36. <input type="checkbox"/> Reimbursement Agreement <input type="checkbox"/> Repayment <input type="checkbox"/> Advance				
<input type="checkbox"/> Allocation Transfer-In				
Other Agency's Billing Address (include ALC or Station Symbol Number)			Other Agency's Billing Instructions and Frequency	

Part IV - Acceptance Conditions

EPA Identification Number

DW-96-94193501 - Y

37. Terms and Conditions, when included, are located at the end of the 1610-1, or as an attachment.

Part V - Offer and Acceptance

Note: A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency after the document is signed by the EPA Award Official, which the Award Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

B) For Funds-In actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IA administration office for signature on behalf of the EPA. EPA will return one original copy after acceptance returned to the other agency after acceptance.

EPA IA Administration Office (for administrative assistance)**EPA Program Office (for technical assistance)****38. Organization/Address**

U.S. Environmental Protection Agency
IASSC West
1200 Sixth Avenue, Suite 900, OMP-145
Seattle, WA 98101

39. Organization/Address

US Environmental Protection Agency
R2 - Region 2
290 Broadway
New York, NY 10007-1866

Award Official on Behalf of the Environment Protection Agency

40. Digital signature applied by EPA Award Official | Armina K. Nolan - Manager - Grants and Interagency Agreements Unit

Date

08/06/2012

Authorizing Official on Behalf of the Other Agency**41. Signature****Typed Name and Title****Date**

IA Terms and Conditions

Condition number 20 is ADDED:

20. Restrictions on FY12 Funding for Corporations with Unpaid Federal Tax Liabilities and Felony Convictions

This IA obligates and transfers or advances EPA funds appropriated under the Department of Interior, Environment, and Related Agencies Appropriations Act, (FY12 Appropriations Act). As a result, this interagency agreement (IA) is subject to the provisions of Division E, Sections 433 and 434 of the Appropriations Act, regarding federal felony convictions and unpaid federal tax liabilities. Specifically,

Section 433 provides:

None of the funds made available by this Act [FY12 Appropriations Act] may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted (or had an officer or agent of such corporation acting on behalf of the corporation convicted) of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation, or such officer or agent, and made a determination that this further action is not necessary to protect the interests of the Government.

Section 434 of Division E of the Appropriations Act further provides:

None of the funds made available by this Act [FY12 Appropriations Act] may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation with respect to which any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

Accordingly, by accepting the award of this IA, the USACE agrees that it will comply with and implement the prohibitions of Sections 433 and 434 for any contract, assistance agreement, loan, loan guarantee or other instrument with any corporation that will be funded with funds provided under this IA.

Non-compliance with the provisions of Sections 433 and 434 may implicate the Antideficiency Act.

USACE will forward to the EPA Award Official, within 45 days, any determination and documentation supporting an award where suspension and debarment are considered by the awarding agency.

END OF DOCUMENT



United States Environmental
Protection Agency
Washington, DC 20460

**Interagency Agreement/
Amendment**

Part 1 - General Information

1. EPA IA Identification Number DW-96-94193501 - Y	2. Funding Location by Region EPA R2
3. Other Agency IA ID Number (if known)	4. Awarding Office IASSC West
5. Type of Action Augmentation: Increase	6. IA Specialist: Kathy Tsing-Choy 206-553-4688 Tsing-Choy.Kathy@epa.gov

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Seattle, WA 98101

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Omaha, NE 68102-9200

9. DUNS: 029128894

10. BETC: DISB

11. DUNS: DOD964126

12. BETC: COLL

13. Project Title and Description

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290 Broadway (ERRD/PSB/CMS)
New York, NY 10007-1866
212-637-4303
E-Mail: gottesman.justin@epa.gov
FAX: 212-637-3083

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402-697-2425
E-Mail: Marvene.L.Seaman@usace.army.mil
FAX: 402-697-2613

16. Project Period: 09/30/2001 to 09/29/2016

17. Budget Period: 09/30/2001 to 09/29/2016

18. Scope of Work (See Attachment)

The Scope of Work remains the same. EPA and USACE will utilize the Direct Fund Cite and Revised Reimbursable payment methods. Funds are divided as follows:

	Previous	Current	Total
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68-68X8145	122AHE0074	12	T	2AD0R	303DD2	2506	028URA01	C009	14,020,000
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									17,400,000

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<input checked="" type="checkbox"/> Repayment	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Upon Completion of Work			
<input type="checkbox"/> Advance	Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.			
<input type="checkbox"/> Allocation Transfer-Out	Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.			
36. <input type="checkbox"/> Reimbursement Agreement <input type="checkbox"/> Repayment <input type="checkbox"/> Advance <input type="checkbox"/> Allocation Transfer-In				
Other Agency's Billing Address (include ALC or Station Symbol Number)			Other Agency's Billing Instructions and Frequency	

Part IV - Acceptance Conditions		EPA Identification Number DW-96-94193501 - Y
37. Terms and Conditions, when included, are located at the end of the 1610-1, or as an attachment.		
Part V - Offer and Acceptance		
<p>Note: A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.</p> <p>Failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency after the document is signed by the EPA Award Official, which the Award Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.</p> <p>B) For Funds-In actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IA administration office for signature on behalf of the EPA. EPA will return one original copy after acceptance returned to the other agency after acceptance.</p>		
EPA IA Administration Office (for administrative assistance)		EPA Program Office (for technical assistance)
38. Organization/Address U.S. Environmental Protection Agency IASSC West 1200 Sixth Avenue, Suite 900, OMP-145 Seattle, WA 98101	39. Organization/Address US Environmental Protection Agency R2 - Region 2 290 Broadway New York, NY 10007-1866	
Award Official on Behalf of the Environment Protection Agency		
40. Digital signature applied by EPA Award Official Armina K. Nolan - Manager - Grants and Interagency Agreements Unit		Date 08/06/2012
Authorizing Official on Behalf of the Other Agency		
41. Signature 	Typed Name and Title  CURTIS A. HECKELMAN, P.E., PMP DEPUTY DISTRICT ENGINEER FOR PROGRAMS AND PROJECT MANAGEMENT	Date 8/8/12

IA Terms and Conditions

Condition number 20 is ADDED:

20. Restrictions on FY12 Funding for Corporations with Unpaid Federal Tax Liabilities and Felony Convictions

This IA obligates and transfers or advances EPA funds appropriated under the Department of Interior, Environment, and Related Agencies Appropriations Act, (FY12 Appropriations Act). As a result, this interagency agreement (IA) is subject to the provisions of Division E, Sections 433 and 434 of the Appropriations Act, regarding federal felony convictions and unpaid federal tax liabilities. Specifically,

Section 433 provides:

None of the funds made available by this Act [FY12 Appropriations Act] may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted (or had an officer or agent of such corporation acting on behalf of the corporation convicted) of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation, or such officer or agent, and made a determination that this further action is not necessary to protect the interests of the Government.

Section 434 of Division E of the Appropriations Act further provides:

None of the funds made available by this Act [FY12 Appropriations Act] may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation with respect to which any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

Accordingly, by accepting the award of this IA, the USACE agrees that it will comply with and implement the prohibitions of Sections 433 and 434 for any contract, assistance agreement, loan, loan guarantee or other instrument with any corporation that will be funded with funds provided under this IA.

Non-compliance with the provisions of Sections 433 and 434 may implicate the Antideficiency Act.

USACE will forward to the EPA Award Official, within 45 days, any determination and documentation supporting an award where suspension and debarment are considered by the awarding agency.

END OF DOCUMENT